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Attorneys for Plaintiff  
JOHN DOE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JOHN DOE,

Plaintiff,

v.

COUNTY OF SOLANO, et al.,

Defendants.

Case No. 2:23-cv-00180-AC

**STIPULATION AND ~~[PROPOSED]~~  
ORDER PERMITTING PLAINTIFF  
TO FILE FIRST AMENDED  
COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 16(b)(4) and 15(a)(2), and the Court's November 7, 2023 order (Dkt. No. 21), plaintiff John Doe ("Plaintiff") and defendants County of Solano ("County"), Armando Espinoza and Stephanie Bachman (erroneously sued as Stephanie M. Garcia) (collectively, "Original Defendants") (all parties, collectively, the "Parties") stipulate as follows:

1. Plaintiff filed his complaint against the Original Defendants on December 28, 2022 in the Superior Court of the State of California, County of Solano. Dkt. No. 1, Ex. A. The complaint included doe defendants.

2. Defendants removed the action to this Court on January 30, 2023. Dkt. No. 1.

3. The Court entered a scheduling order on June 23, 2023, which set August 31, 2023 as the deadline to join additional parties. Dkt. No. 15, p. 1:22-25. That date was continued by stipulation

Stipulation and [Proposed] Permitting Plaintiff to File FAC

Case No. 2:23-cv-00180-AC

1 and order until December 28, 2023 to permit Plaintiff to conduct discovery intended to assist him with  
2 identifying doe defendants. Dkt. Nos. 17, 19 & 21.

3 4. Having conducted that discovery, and having learned that original defendant Stephanie M.  
4 Garcia's name is now Stephanie M. Bachman, Plaintiff seeks to amend his complaint to substitute the  
5 true names of defendants previously identified as doe defendants, add factual allegations concerning  
6 those doe defendants, and to correct the name of original defendant Stephanie M. Garcia, now  
7 Bachman.

8 5. A copy of the proposed First Amended Complaint is attached as **Exhibit 1**.

9 6. Good cause exists for the amendment given that Plaintiff was ignorant of proposed defendants  
10 Aaron Neisingh, Jose Naranjo, Anthony Posadas, and Scott Smyth until after he filed his original  
11 complaint and conducted discovery. This amendment is not the product of undue delay, proposed in  
12 bad faith, or futile. Instead, Plaintiff has discovered the information necessary to amend his complaint  
13 to add the proposed defendants.

14 7. In entering into this stipulation, the Original Defendants do not waive any rights with regard to  
15 their responsive pleading or a responsive pleading on behalf of the new defendants.

16 8. Filing and service of the First Amended Complaint, attached as Exhibit 1, on the Original  
17 Defendants should be completed via the ECF system within three (3) days of the filing of an order on  
18 this stipulation. The deadline to amend the complaint to add parties should be extended accordingly,  
19 until three (3) days after the filing of an order on this stipulation. Plaintiff should submit Summonses  
20 for new defendants Aaron Neisingh, Jose Naranjo, Anthony Posadas, and Scott Smyth within three (3)  
21 days of the filing of an order of this stipulation. Plaintiff will serve the Summons and First Amended  
22 Complaint upon new defendants Aaron Neisingh, Jose Naranjo, Anthony Posadas, and Scott Smyth.  
23 All defendants will have twenty-one (21) days from the date of service to file their responsive  
24 pleading, unless executed waiver of service dictates otherwise.

25 It is so stipulated.

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1 Dated: December 27, 2023

EMANUEL LAW GROUP

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3 By: /s/ Pamela E. Glazner  
4 Pamela E. Glazner  
5 Attorneys for Plaintiff JOHN DOE

6 Dated: December 27, 2023

HAWKINS PARNELL & YOUNG, LLP

7  
8 By: /s/ Danielle K. Lewis (authorized on 12/27/2023)  
9 Danielle K. Lewis  
10 Attorneys for Defendants COUNTY OF  
11 SOLANO, ARMANDO ESPINOZA and  
12 STEPHANIE BACHMAN (erroneously sued as  
13 STEPHANIE M. GARCIA)  
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**[PROPOSED] ORDER**

The Court, having reviewed the foregoing Stipulation, and good cause appearing therefor, here by orders as follows:

1. Filing and service of the First Amended Complaint, attached as Exhibit 1, on all existing parties shall be completed via the ECF system within three (3) days of the filing of this order.


2. The deadline to amend the complaint to add parties is extended accordingly, until three (3) days after the filing of this order.

3. Plaintiff shall submit Summonses for defendants Aaron Neisingh, Jose Naranjo, Anthony Posadas, and Scott Smyth within three (3) days of the filing of this order. Plaintiff will serve the Summons and First Amended Complaint upon new defendants Aaron Neisingh, Jose Naranjo, Anthony Posadas, and Scott Smyth.

4. All defendants will have twenty-one (21) days from the date of service of the First Amended Complaint to file their responsive pleading, unless executed waiver of service dictates otherwise.

IT IS SO ORDERED.

DATED: January 3, 2024

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE